

MESSAGE NO: 3195111

MESSAGE DATE: 07/14/1993

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: COR

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE 3138111
MESSAGE #
(s):

CASE #(s): C-307-201, C-307-808

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 07/07/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF AMENDMENT TO COUNTERVAILING DUTY ORDER OF FERROSILICON
FROM VENEZUELA

MESSAGE NO: 3195111

DATE: 07 14 1993

CATEGORY: CVD

TYPE: COR

REFERENCE: 3138111

REFERENCE DATE: 05 18 1993

CASES: C - 307 - 808

C - 307 - 201

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- - - -

PERIOD COVERED: 07 07 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: NOTICE OF AMENDMENT TO COUNTERVAILING DUTY ORDER OF
FERROSILICON FROM VENEZUELA

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON JULY 07, 1993, NOTICE OF AN AMENDMENT TO ITS COUNTERVAILING
DUTY ORDER IN THE INVESTIGATION OF FERROSILICON FROM VENEZUELA.
THE ORIGINAL COUNTERVAILING DUTY ORDER WAS ISSUED ON MAY 18,
1993, E-MAIL NUMBER 3138111.

2. THE PRODUCT COVERED BY THIS INVESTIGATION IS FERROSILICON, A
FERROALLOY GENERALLY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR
PERCENT IRON, MORE THAN EIGHT PERCENT BUT NOT MORE THAN 96

PERCENT SILICON, NOT MORE THAN 10 PERCENT CHROMIUM, NOT MORE THAN 30 PERCENT MANGANESE, NOT MORE THAN THREE PERCENT PHOSPHOROUS, LESS THAN 2.75 PERCENT MAGNESIUM, AND NOT MORE THAN 10 PERCENT CALCIUM OR ANY OTHER ELEMENT.

FERROSILICON IS A FERROALLOY PRODUCED BY COMBINING SILICON AND IRON THROUGH SMELTING IN A SUBMERGED-ARC FURNACE. FERROSILICON IS USED PRIMARILY AS AN ALLOYING AGENT IN THE PRODUCTION OF STEEL AND CAST IRON. IT IS ALSO USED IN THE STEEL INDUSTRY AS A DEOXIDIZER AND A REDUCING AGENT, AND BY CAST IRON PRODUCERS AS AN INOCULANT.

FERROSILICON IS DIFFERENTIATED BY SIZE AND BY GRADE. THE SIZES EXPRESS THE MAXIMUM AND MINIMUM DIMENSIONS OF THE LUMPS OF FERROSILICON FOUND IN A GIVEN SHIPMENT. FERROSILICON GRADES ARE DEFINED BY THE PERCENTAGES BY WEIGHT OF CONTAINED SILICON AND OTHER MINOR ELEMENTS. FERROSILICON IS MOST COMMONLY SOLD TO THE IRON AND STEEL INDUSTRIES IN STANDARD GRADES OF 75 PERCENT AND 50 PERCENT FERROSILICON.

CALCIUM SILICON, FERROCALCIUM SILICON, AND MAGNESIUM FERROSILICON ARE SPECIFICALLY EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. CALCIUM SILICON IS AN ALLOY CONTAINING, BY WEIGHT, NOT MORE THAN FIVE PERCENT IRON, 60 TO 65 PERCENT SILICON AND 28 TO 32 PERCENT CALCIUM. FERROCALCIUM SILICON IS A FERROALLOY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, 60 TO 65 PERCENT SILICON, AND MORE THAN 10 PERCENT CALCIUM. MAGNESIUM FERROSILICON IS A FERROALLOY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, NOT MORE THAN 55 PERCENT SILICON AND NOT LESS THAN 2.75 PERCENT MAGNESIUM. PRODUCTS COVERED IN THIS INVESTIGATION INCLUDED THE FOLLOWING SUBHEADINGS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS):

7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, AND 7202.29.0050.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND

CUSTOMS PURPOSES, OUR DESCRIPTION OF THE SCOPE OF THESE PROCEEDINGS IS DISPOSITIVE.

4. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER: C-307-808. FOR CUSTOMS PURPOSES ONLY, HTSUS ITEMS 7202.21.7500 AND 7202.21.9000 HAVE BEEN ASSIGNED NUMBER C-307-201.

5. THIS AMENDMENT IS NECESSARY BECAUSE VENEZUELA IS A GATT CONTRACTING PARTY, AND MERCHANDISE WITHIN THE SCOPE OF THE PETITION WHICH IS IMPORTED UNDER HTSUS SUBHEADINGS 7202.21.1000, 7202.21.5000, 7202.29.0010, AND 7202.29.0050 IS NONDUTIABLE. THE ITC WAS REQUIRED TO DETERMINE WHETHER IMPORTS OF THIS NONDUTIABLE MERCHANDISE FROM VENEZUELA MATERIALLY INJURE, OR THREATEN MATERIAL INJURY TO, A U.S. INDUSTRY. ON JUNE 16, 1993, THE ITC DETERMINED THAT IMPORTS OF FERROSILICON FROM VENEZUELA MATERIALLY

INJURE A U.S. INDUSTRY. THEREFORE, WE ARE ISSUING THIS AMENDMENT TO THE ORIGINAL COUNTERVAILING DUTY ORDER. (EXCEPT FOR THE ADDITION OF HTSUS ITEMS 7202.21.1000, 7202.21.5000, 7202.29.0010, AND 7202.29.0050, THE ORIGINAL ORDER OF MAY 10, 1993 REMAINS UNCHANGED.)

6. ACCORDINGLY, THE U.S. CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF ENTRIES OF FERROSILICON FROM VENEZUELA THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER JULY 07, 1993, AND SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE MARGIN PERCENTAGES LISTED BELOW:

COMPANY	ID NUMBER	AD VALOREM RATE
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FESILVEN	C-307-808-001	22.08 PERCENT
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COUNTRY-WIDE RATE	C-307-808-000	22.08 PERCENT
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7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE REFERRED TO THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH, VIA EMAIL TO ATTRIBUTE "HQ OAB".

THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT

THE FOLLOWING IMPORT COMPLIANCE SPECIALIST AT THE INTERNATIONAL
TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE: KRISTIN HEIM,
OFFICE OF COUNTERVAILING INVESTIGATIONS (202) 482-3798.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party